

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 DENNIS M. DAL SANTO,

4 Plaintiff

5 v.

6 NANCY A. BERRYHILL,

7 Defendant

Case No.: 2:17-cv-02157-APG-VCF

**Order Accepting Report and
Recommendation, Denying Motion for
Summary Judgment, and Granting Motion
to Affirm**

[ECF Nos. 18, 19, 24]

8 On December 17, 2019, Magistrate Judge Ferenbach recommended that I deny plaintiff
9 Dennis Dalsanto's motion for remand and grant the defendant's motion for summary judgment.
10 ECF No. 24. Dalsanto did not file an objection. Thus, I am not obligated to conduct a de novo
11 review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to
12 "make a de novo determination of those portions of the report or specified proposed findings to
13 which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)
14 (en banc) ("the district judge must review the magistrate judge's findings and recommendations
15 de novo *if objection is made*, but not otherwise" (emphasis in original)).

16 I THEREFORE ORDER that Magistrate Judge Ferenbach's report and recommendation
17 **(ECF No. 24) is accepted**, plaintiff Dennis Dalsanto's motion for summary judgment **(ECF No.**
18 **18) is DENIED**, and defendant Nancy A. Berryhill's motion to affirm **(ECF No. 19) is**
19 **GRANTED**. The clerk of court is instructed to enter judgment in favor of the defendant and
20 against the plaintiff, and to close this case.

21 DATED this 9th day of January, 2020.

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23 
ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE